

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. JONES,

Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO MUNICIPAL
TRANSPORTATION AGENCY,

Defendant.

NO. C04-01002 TEH

ORDER TO SHOW CAUSE

This matter comes before the Court on Plaintiff's complaint seeking damages from City and County of San Francisco Municipal Transportation Agency ("MUNI") under the California Fair Employment and Housing Act and 42 U.S.C. § 1983, alleging discrimination and unlawful retaliation. The Court *sua sponte* issues this Order to Show Cause ("OSC") and ORDERS Plaintiff to APPEAR and SHOW CAUSE why this Court should not dismiss this case with prejudice for his obstruction of the discovery process and his repeated failure to appear for his deposition. As part of the response to this OSC, Plaintiff is ORDERED to provide to the Court evidence, in the form of a doctor's note or by other reliable means, excusing plaintiff from appearing at his last scheduled deposition session.

The OSC will be heard in court on June 27, 2005 at 10:00 a.m. Plaintiff is ORDERED to attend the hearing, and his failure to do so will result in dismissal of this action with prejudice. Plaintiff is notified that he may be placed under oath at the hearing to

1 testify in his own behalf.

2 If Plaintiff is absolutely unable to attend the June 27, 2005 hearing, he should call
3 the courtroom deputy at 415-522-2047 to reschedule at the earliest date possible. A
4 request to change the June 27th date will be considered only upon a showing of extreme
5 hardship to Plaintiff.

6 The Court further VACATES the current pre-trial hearing date of June 6, 2005, and
7 the trial date of June 12, 2005, to be reset at a later time.

8
9 IT IS SO ORDERED.

10
11 DATED 6/2/2005

_____/s/
THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE